

GOVERNMENT OF ANDHRA PRADESH
ABSTRACT

Public Services – Education (SE) Department – Allegation of corruption of demand and acceptance of bribe against Sri Jakka Srinivasa Rao, formerly Junior Assistant, office of the District Educational Officer, Eluru, West Godavari District – Trapped on 07.01.2008 – Sanction for Prosecution – Orders – Issued.

EDUCATION [SE-Vig.I(1)] DEPARTMENT

G.O.Ms. No. 117.

Dated: 15.10.2009.

ORDER :

1. WHEREAS, Sri Jakka Srinivasa Rao worked as Junior Assistant, office of the District Educational Officer, Eluru, West Godavari District, from 14.07.2004 to 07.01.2008 and by virtue of the post held by him he falls under the category of Public Servants as defined under section 2 (c) of the Prevention of Corruption Act, 1988 (Act 49 of 1988) ;

2. AND WHEREAS, Sri Alladi Raju, son of Sundara Rao, is working as Secondary Grade Teacher, Mandal Praja Parishad Primary School, Chandra Rajeswara Rao Colony, Jeelugumilli Village & Mandal, West Godavari District ;

3. AND WHEREAS, it is alleged that Sri Alladi Raju is a B.Sc., graduate and did Teacher Training. As he intended to do B.Ed., he attended to EDCET-2007 and got 4659 Rank in Mathematics Branch. He got seat in Indira Devi College of Education, Parimpudi, Koyyalagudem Mandal and applied for Education Leave for one year with full pay on 22.12.2007 along with required certificates (i.e., College Seat allotment orders, G.O., which contains particulars of fees, Rank Card, EDCET Hall Ticket, Notification for EDCET, Marks Memorandum of Degree, Caste Certificate etc.) to the District Educational Officer, West Godavari District, Eluru, through proper channel i.e., Mandal Educational Officer, Jeelugumilli Mandal and the same was forwarded to the District Educational Officer, West Godavari District, Eluru, vide Roc.No.89/E/2007 of Mandal Educational Officer, Jeelugumilli, on the same day through Sri Alladi Raju for taking necessary action. Sri Alladi Raju who submitted the same in the office of the District Educational Officer, West Godavari District, Eluru, got initialed his representation by Assistant Director / Superintendent of the office of the District Educational Officer, West Godavari District, Eluru, and gave the same in tappal section along with enclosures mentioned above. The inward clerk who received the representation, acknowledged the receipt of the representation, entered the same in the tappal book and advised him to meet Sri Jakka Srinivasa Rao who is the concerned clerk. Then Sri Alladi Raju met Sri Jakka Srinivasa Rao. Sri Jakka Srinivasa Rao, who verified the application of Sri Alladi Raju, demanded Rs.2,000/- for processing the same in his favour. He also asked him to leave the office in case he does not willing to pay the demanded bribe amount. Then Sri Alladi Raju left the office and contacted Sri Jakka Srinivasa Rao over phone. Then he asked Sri Alladi Raju to bring one more letter with recommendation of Mandal Educational Officer and reiterated his earlier demand for bribe of Rs.2,000/-. Then Sri Alladi Raju again got recommendation letter from the Mandal Educational Officer, Jeelugumilli, dated 4.1.2008 and met Sri Jakka Srinivasa Rao on 5.1.2008 and handed over the same. Then Sri Jakka Srinivasa Rao again demanded and asked whether he brought the bribe amount or not. When Sri Alladi Raju informed that he does not have money, Sri Jakka Srinivasa Rao shown the order copy of study leave and informed him to take the same after paying the demanded bribe amount of Rs.2,000/-. When Sri Alladi Raju expressed his inability to pay Rs.2,000/-, Sri Jakka Srinivasa Rao reduced his demand to Rs.1,600/- and advised him to take the order copy after paying the bribe amount. Left with no option, Sri Alladi Raju agreed to pay the bribe amount of Rs.1,600/-, though he is not willing to pay the same and reported the same to the Deputy Superintendent of Police, Anti Corruption Bureau, Eluru Range, Eluru, on 05.01.2008 at 17.00 hours against Sri Jakka Srinivasa Rao for taking necessary action against him. After observing all the legal formalities, the Deputy Superintendent of Police, Anti Corruption Bureau, Eluru, registered a case in Cr.No.01/ACB-RCT/EWG/2008 on 07.01.2008 at 10.30 hours, under sections 7 and 13 (2) read with section 13(1)(d) of the Prevention of Corruption Act, 1988 and made arrangements for laying the trap.

4. AND WHEREAS, on 7.1.2008 after completing the pre-trap proceedings, the Deputy Superintendent of Police, Anti Corruption Bureau, Eluru, other Inspectors of Anti Corruption Bureau, Mediators, Sri Alladi Raju along with other trap party members left to District Educational Officer's office, Eluru. And as per the instructions of the Deputy Superintendent of Police, Anti Corruption Bureau, Sri Alladi Raju entered into the office of Sri Jakka Srinivasa Rao and at about 15.10 hours he came out of the office of Sri Jakka Srinivasa Rao and gave the pre-arranged signal. The trap party immediately rushed into the A-Section of the office of the District Educational Officer. The Deputy Superintendent of Police asked Sri Alladi Raju to stay outside till further instructions. The Deputy Superintendent of Police introduced himself and other members of trap party to the person found in A-8 seat and also ascertained the identity particulars of the said person as Sri Jakka Srinivasa Rao. On ascertaining his identity, the Deputy Superintendent of Police, Anti-Corruption Bureau, Eluru, asked him to keep his hands free and got conducted the Sodium Carbonate Solution test on both hand fingers of Sri Jakka Srinivasa Rao and the solution remained unchanged. When the Deputy Superintendent of Police, Anti Corruption Bureau, enquired Sri Jakka Srinivasa Rao, he stated that when Sri Alladi Raju approached him, he gave three sets of order copies to Sri Alladi Raju and he went away. When the Deputy Superintendent of Police asked Sri Jakka Srinivasa Rao about his demanding and accepting the bribe amount from Sri Alladi Raju, he denied the same. When enquired Sri Alladi Raju, he stated that when he met Sri Jakka Srinivasa Rao, Junior Assistant, in his office, he demanded him the bribe amount and asked him to keep the same in almyrah adjacent to his seat. Accordingly, Sri Alladi Raju kept the tainted amount in the 3rd rack of the almyrah and the same was locked by Sri Jakka Srinivasa Rao, who kept the keys in almyrah and kept the keys in his pocket and gave him three copies of the leave orders. Then Sri Alladi Raju came out of the office and gave pre-arranged signal at 15.10 hours. The tainted amount of Rs.1,600/- was recovered from the 3rd rack of almyrah of Sri Jakka Srinivasa Rao. Both hand fingers of Sri Jakka Srinivasa Rao yielded negative result when subjected to sodium carbonate solution test. The Deputy Superintendent of Police conducted sodium carbonate solution test on the portion of the surface of the almyrah with cotton swab and it yielded positive result. The Deputy Superintendent of Police, Anti Corruption Bureau, seized the tainted amount of Rs.1,600/- and also resultant solutions. The Deputy Superintendent of Police, Anti-Corruption Bureau, also seized an excess cash of Rs.2,990/- found on the person of Sri Jakka Srinivasa Rao during the searches. When asked about the same, Sri Jakka Srinivasa Rao could not able to account for the same.

5. AND WHEREAS, the above said acts of Sri Jakka Srinivasa Rao, formerly Junior Assistant, office of the District Educational Officer, Eluru, West Godavari District, constitute offences punishable under sections 7 and 13 (2) read with section 13 (1) (d) of the Prevention of Corruption Act, 1988(Act No.49 of 1988).

6. AND WHEREAS, the Government of Andhra Pradesh being the competent authority to remove Sri Jakka Srinivasa Rao, formerly Junior Assistant, office of the District Educational Officer, Eluru, West Godavari District, from service, after fully and carefully examining the material placed before them in respect of the said allegations and having regard to the facts and circumstances of the case, consider that Sri Jakka Srinivasa Rao, formerly Junior Assistant, office of the District Educational Officer, Eluru, West Godavari District, should be prosecuted in a court of law for the aforesaid offences.

7. NOW, THEREFORE, in exercise of the powers conferred by clause (b) of Sub-section (1) of Section 19 of the Prevention of Corruption Act, 1988 (Act No.49 of 1988), the Government of Andhra Pradesh hereby accord sanction for the prosecution of Sri Jakka Srinivasa Rao, formerly Junior Assistant, office of the District Educational Officer, Eluru, West Godavari District, for the above said offences punishable under sections 7 and 13 (2) read with section 13 (1) (d) of the Prevention of Corruption Act, 1988 and for any other cognate offences punishable under any other provisions of Law for the time being in force in respect of the aforesaid allegation and for taking cognizance of the said offences by a court of competent jurisdiction.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

(SURESH CHANDA)
SECRETARY TO GOVERNMENT (SE)

To
The Director General, Anti Corruption Bureau, Hyderabad.

//FORWARDED BY ORDER//

SECTION OFFICER